



Always There for You!

April 22, 2015

Ms. Jessica Bean
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Submitted via email: Jessica.Bean@waterboards.ca.gov

SUBJECT: Draft Emergency Regulation for Urban Water Conservation (as released 4/18/15)

Dear Ms. Bean:

On behalf of Burbank Water and Power (BWP), I appreciate the opportunity to comment on the State Water Resources Control Board (Water Board) staff's *Drought Emergency Water Conservation Regulation* and the draft table *Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction* (Tiers Document). The City of Burbank and BWP support the Governor and Water Board in their efforts to manage California's water resources in the midst of a record setting four year drought with no assurance that the next winter season will see it end. The leadership shown by issuing mandatory emergency regulations will no doubt bring the public attention and a coordinated effort needed to weather this event. In addition to comments previously made by the City of Burbank, BWP would like to offer comments some additional areas for consideration:

Opt for a Sliding Scale for the Conservation Standard

We appreciate the effort that the Water Board staff has put into developing Tiers. In the latest revisions, the Tiers have doubled but disparity between communities still exists. Prior to the revisions, Burbank was in Tier 3 with a 130.1 GPCD-R and a 25 % conservation standard. Now, with our July – August 2014 average GCPD range of 132.2 we are in Tier 7 with a 28% conservation standard. It appears arbitrary that with the revised tiers that 2.3 GPCD-R requires an increase of 4 percent in the applicable conservation standard from the next lowest tier. BWP recommends a sliding scale be implemented and eliminate the Tiers, which are unfairly causing inequities.

In addition, BWP would also like to ask that the Water Board's enforcement mechanism recognize those agencies that have achieved long-term reductions in per-capita use through active programs. Burbank is close to meeting its 20 percent by 2020 goal, currently at 17 percent.

As MWD recommended in its April 13, 2015 comment letter that penalties should not be as severe for agencies that can demonstrate they are on track to meet their 20 percent by 2020 potable per capita reductions through active conservation and metering programs. While these agencies would face penalties, they would face lower penalties as compared to agencies that are not meeting the state's 20 percent by 2020 reduction goals.

Consideration of System Water Losses – for the Water Board's future consideration

The Water Board's regulations mention waste and unreasonable use of water, but do not recognize that there is an important form of waste that is not being addressed in the emergency regulations.

"Unaccounted for water" or "non-revenue water (NRW)" is water that has been produced and is "lost" before it reaches the customer. This is real waste. BWP recommends that water loss be factored into the discussion on how to prevent waste and unreasonable use of water and that the Water Board provide a credit or debit to the overall Tiers that have been established in the Proposed Emergency Regulation.

EPA estimates average water loss in U.S. systems is 16 percent and importantly up to 75 percent of that is recoverable.¹ A high water loss can represent an area of inefficiency in a water supplier's system. Similarly, a low water loss can represent an area of efficiency.

According to the California Water Plan², in its discussion on urban water use efficiency:

"The amount of water lost due to leakage in the distribution system of the State's water suppliers is not well known. This is largely due to the fact that not all water suppliers perform regular water loss audits. If water audits are not conducted, it is difficult for a water agency to know the extent of its losses and unlikely that the agency will implement practices to reduce these losses." (California Water Plan Update 2013, Vol. 3, Ch. 3)

Burbank annually calculates our water loss as water production records (i.e., amounts of water imported into the distribution system) and subtracts that amount from meter reading and billing records (i.e., amounts of water used by each customer during each billing period and related information). The difference between the two (water production records – meter reading and billing records = NRW) is the lost water. In Burbank, our water loss fluctuates between 2-3% annually.

High water loss can be a form of inefficiency and waste and improvements in this area could represent significant water savings like high GPCD can represent overuse and a reduction represents water savings. Water loss is also an important element that the state and water providers should pay attention to, control and minimize.

¹ Thornton, J., Sturm, R., Kunkel, G., *Water Loss Control Manual (2nd Edition)*, McGraw-Hill, 2008.

² <http://www.waterplan.water.ca.gov/>

BWP recommends that water loss be reported to the Water Board and compared to an industry benchmark, which would allow for a credit or a debit to apply to a water suppliers assigned Tier. For instance, a resident that uses 100 GPCD served by a water provider that has a NRW rate of 15%, then the GPCD is really higher than 100 GPCD. Conversely, if an accepted industry water loss were established as a best practice and a water supplier was below this industry benchmark then an adjustment could be made to the Tier.

In addition to these comments, BWP supports the comments made by the California Municipal Utilities Association especially in regards to the statewide outreach campaign and compliance/enforcement. BWP appreciates the opportunity to provide additional input; please feel free to contact, Lianne McGinley at 818.238.3661 or at lmcginley@burbankca.gov.

Sincerely,



Ron Davis
General Manager, BWP

c: State Water Resources Control Board Members
Mark Scott, Burbank City Manager
Burbank City Council
Burbank Water and Power Board